

REMARKS

This is in response to the Official Action currently outstanding with respect to the above-identified application, which Official Action the Examiner has designated as being FINAL.

Claims 24-35 were pending in this application as of the time of the issuance of the currently outstanding FINAL Official Action. Claims 1-23 were previously canceled. Applicant seeks no amendment of any of the presently pending claims, nor the cancellation of any claims, nor the addition of any claims by this communication. Accordingly, Claims 24-35 as hereinabove reproduced with appropriate status identifiers constitute the claims under active prosecution in this application.

More specifically, in the currently outstanding Final Official Action, the Examiner has:

1. Acknowledged Applicants' claim for foreign priority under 35 USC 119(a)-(d), and reconfirm that the required certified copies of the priority document have been received by the United States Patent and Trademark Office;
2. Indicated that the drawings filed on 14 June 2004 have been accepted; and
3. Finally rejected Claims 24-35 under 35 USC 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Further comment in these Remarks regarding items 1-2 above is not considered to be necessary.

Applicant appreciates the Examiner's thorough examination of the subject application and the Amendment filed in this application on 14 June 2004. However, Applicant respectfully submits that the Examiner has failed to correctly understand the content of Applicant's previous argument, and therefore respectfully requests reconsideration of the subject application based on the following clarifying remarks.

In the currently outstanding Final Official Action with regard to the above-identified application, the Examiner again has rejected Claims 24-35 under 35 USC §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention claimed. In particular, the Examiner objects to the portion of Claim 24 that indicates that “in the first display mode, the selector switch is in operation, and in the second display mode, the selector switch is not in operation”. Further, with respect to Claim 32, the Examiner objects to the portion that indicates that “the voltage of the signal-use reference power supply is changeable between the first display mode and the second display mode”.

With respect to Claim 24, the Examiner’s comments in the currently outstanding Final Official Action appear to indicate that he has understood Applicant’s position to be that the switch discussed at page 48 of the specification should be equated to the selector switch claimed, i.e., selector switch 37. Further, Applicant understands the Examiner’s position to be that Claim 24 fails to satisfy the requirements of 35 USC 112, first paragraph, because he has not found a specific and detailed description in the present application of (1) how the selector switch 37 is placed into its the second display mode (i.e., non-operational) condition and/or (2) when the selector switch 37 is placed in its second display mode (non-operational) configuration (i) what the state of the selector switch is; (ii) what signal is used to drive the source line; and (iii) how the image is displayed on the liquid crystal panel.

With respect to these issues, Applicant respectfully submits that the Examiner’s position on the first of these issues indicates a clear misunderstanding of the intended meaning of the comments that appear at page 13 of the Amendment of 14 June 2004 in this case. Thus, it should be understood that Applicant agrees that the switch described at page 48 of the specification for selecting between the image display sequence in accordance with the present invention and a conventional image display sequence is not the same as the selector switch 37 claimed. Rather, it is Applicant’s position that as the Examiner suggests, the switch described a page 48 of the present specification is, as disclosed, a possible (permissible) substitute for the motion picture/still picture discrimination circuit 21.

Indeed, it is Applicant's position that there can be absolutely no question that the switch described at page 48 of the present specification constitutes an appropriate disclosure under 35 USC 112 of a means whereby the display control section is caused to output the claimed control signal for the first display mode (i.e., that of the present invention) or the control signal for the second display mode (i.e., the conventional).

Therefore, given that the Applicant and the Examiner agree concerning the nature of the switch described at page 48 of the present specification, Applicant respectfully submits that the first of the issues raised by the Examiner resolves itself into what is meant by (i.e., what is disclosed by the present specification concerning) the claimed selector switch 37 being in operation and alternatively not being in operation. In this regard, Applicant again agrees with the Examiner's conclusion that when the selector switch is in operation, the selector switch selects either a data signal or a black display signal in response to a switching clock signal from the display control section as specifically set forth in Claim 1 (first paragraph of page 4 of the Amendment of 14 June 2004).

On the other hand, Applicant respectfully submits that it also is clear that when the selector switch is not in operation, the liquid crystal display device operates in the conventional fashion. Applicant also respectfully submits that in the context of the present disclosure it is unambiguously clear that the selector switch not being in operation both expressly and inherently means (and would so disclose to one of ordinary skill in the art) that the black display signal supply operation performed in the first mode of operation is not performed in the second mode of operation. In support of this conclusion, Applicant respectfully directs attention to the present application as originally filed at at least Claim 19 and Page 22, lines 6-22. Further in this regard, Applicant respectfully submits that a person of ordinary skill in the art to which the present invention pertains would clearly and definitely recognize that the so-called "conventional mode of operation" is described at numerous locations in the present specification, particularly in connection with Figs. 21, 22A, 22B and 31.

Consequently, if, as the Examiner has conceded in the currently outstanding Final Official Action, the switch described at page 48 is disclosed as a permissible substitute for the circuit 21 shown in Fig. 1 and also is the switch that acts to switch the mode of operation of the claimed device from that of the present invention on the one hand to the conventional on the other hand, Applicant respectfully submits that it would be abundantly and unambiguously clear to anyone skilled in the art that the present application as filed discloses that when the device is switched to the conventional mode of operation from the mode of operation of the invention, the switching clock signals from the display control section 20 that control the operation (i.e., the sequential selection of a data display signal and a black display signal) by the selector switch 37 "in operation" would be turned off, and further that the selector switch 37 would be left in a position to "select" the data signal. In other words, it would be clear to anyone skilled in the art having the present specification before him and desiring to switch the mode of operation of the device from that shown and described therein with reference to Fig. 1 (the present invention) in a manner so as to adopt the mode of operation shown in Fig. 31 (the conventional) to continuously receive (i.e., select) data signals at the switch 37. Selecting the black signal at the switch 37 when one was attempting to switch from the mode of the present invention to the conventional mode would clearly and simply make no sense. Thus, in the context of the present specification the state of the switch 37 when it is "out of operation" is respectfully submitted to be abundantly clear from the present specification even if not stated *per se* therein.

Still further, Applicant respectfully submits that any remotely possible ambiguity concerning what position the selector switch 37 would be left in when the switch described at page 48 is moved from the position in which the output of the control section of the device from a control signal for the first display mode of operation to a control signal for the second display mode of operation (i.e., the conventional) is removed by a comparison of Figs. 1 and 31 (that are disclosed by the present specification as operating in the same ways as the claimed first and second modes respectively). Similarly, any such potential ambiguity is still further specifically removed by the recitation of Claim 24 (supported by original claim 19 and page 22, lines 6-22 of the specification as filed) that "a black signal supply operation is not performed", i.e., the switch in its non-operational position "selects" only data signals (the only alternative disclosed to black signal selection for switch 37).

In view of the foregoing Remarks clarifying Applicant's position with respect to the outstanding rejection of Claim 24, Applicant respectfully submits that while the exact details of the conversion from the first to the second mode of operation of the device described in the present specification may not be stated per se in that specification, nonetheless, the disclosure as filed is clearly sufficient to enable one skilled in the art to make and/or use the invention in view of the presence therein of disclosures of the first and second modes individually. Indeed, this is particularly the case because the specification also discloses that the claimed device can switch between the defined modes of operation by means of the switch described at page 48 that acts to change the control signal output from the control section in a manner that alters the operation of the selector switch 37. No further disclosure would be required by one skilled in the art to understand, make and/or use the present invention, and to hold otherwise would defeat the very reason why the specification has to be viewed from the perspective of one of ordinary skill in the art who is presumed to bring at least a basic level of understanding concerning the operation of devices of the type being described and claimed to the understanding of the particulars of the description of the device described.

Applicant further respectfully submits that the situation concerning the Examiner's rejection of Claim 32 is similar to that discussed above. Hence, despite the original disclosure of the changeability of the voltage of the signal-use power supply in original Claim 20 and at page 23, lines 3 to 17 of the present specification, the Examiner maintains that the changeability of the voltage of the signal-use power supply between the first and second modes of operation discussed above with respect to Claim 24 is not adequately disclosed to enable one skilled in the art to make and/or use the invention.

In support of his position, the Examiner discusses the first mode of operation in detail with reference to pages 32-34 of the specification and asserts that the first paragraph of page 49 shows only the changeability of the signal-use power supply based upon gray levels of the image, without specifically teaching the changeability of the voltage of the signal-use power supply between the first and second modes of operation claimed in Claim 24. Applicant respectfully submits that the Examiner has incorrectly read the present specification in these regards.

Specifically, the first paragraph of page 49 (to which Applicant has directed the Examiner's attention previously) cannot be read out of the context of the preceding two full paragraphs on page 48 that discuss the switching of the mode of operation of the claimed device between that of the first and second modes of operation. Accordingly, it will be recognized that the final full paragraph on page 48 specifically indicates that the relationship between the write voltage and transmissivity in the mode of the present invention (i.e., the first mode as claimed) differs from that of the conventional image display sequence (i.e., the second mode as claimed), referencing Figs. 21, 22A and 22B as being illustrative of that difference. Consequently, the discussion in the first paragraph of page 49 with respect to adjusting write voltages by reference to the black display in the first mode as compared with the case where the second mode is adopted in Applicant's estimation can only be construed as a disclosure that the voltage of the signal-use power supply is changeable between the first display mode (the mode of the present invention) and the second display mode (the conventional). In addition, Applicant respectfully submits that a person of ordinary skill in the art to which the present invention pertains would not be expected to, and would not, understand the present specification in any other manner.

Accordingly, with respect to the outstanding rejection of Claim 32, Applicant respectfully asserts contrary to the Examiner's stated position that the disclosure of the present application as filed is sufficient to enable one skilled in the art to make and/or use the present invention despite the lack of the extremely specific details referred to by the Examiner. In other words, given the scope and content of the teachings of the present specification, one of ordinary skill in the art by virtue of his skill would have no trouble implementing the present invention as now claimed.

In summary, therefore, Applicant respectfully submits that the Examiner has not correctly understood the scope and bases for the Applicant's argument against his outstanding rejections of the presently pending claims under 35 USC 112, first paragraph. Once to correct nature of the Applicant's position becomes clear to the Examiner, Applicant is confident that it will become clear to the Examiner that Applicant's disclosure in this application as filed is appropriate and sufficient under the terms of 35 USC 112, first paragraph.

Consequently, Applicant respectfully requests that the present final rejections in this application be reconsidered in light of the foregoing discussion, and that a decision allowing this application with the currently pending Claims 24-35 be issued in response to this communication.

Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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SIGNATURE OF PRACTITIONER

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